

REMARKS

Reconsideration and allowance of the above-reference application are respectfully requested. Claims 1 and 18 have been cancelled. Claims 2, 11, 14, 15 and 19 have been amended. Claims 30 and 31 have been added to depend from claims 11 and 14, respectively. Thus, claims 2-17 and 19-31 are pending in the application.

Claims 1-3, 5, 11-20, 22, and 28-29 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,157,705 to Perrone et al. This rejection is respectfully traversed for the reasons set forth below. It is noted that claim 2 has been amended to include the subject matter of independent claim 1 and claim 19 has been amended to include the subject matter of independent claim 18.

Independent claims 2 and 19 specify “identifying by the speech recognition process the corresponding messaging operation and a corresponding operand from the audio file”(emphasis added). Claims 11 and 14, as amended, recite an HTML page having media content information and associated media control information. As defined in the specification, the operand can be a reference to a folder, a reference e-mail, etc. The Examiner stated that Perrone, at column 14, lines 56-63 teaches, “identifying by the speech recognition process the corresponding messaging operation and a corresponding operand from the audio file”. However, Perrone merely teaches at column 14, lines 53-61 that speech recognizer 16 recognizes “a natural language word, phrase, resource identifier, or command in the digital voice file” (emphasis added). There is no teaching or suggestion in Perrone of identifying a corresponding messaging operation and a corresponding operand from the audio file.

With reference to claim 28, the Examiner contends that Perrone teaches “generating a first file, that specifies a messaging operation for a prescribed folder in a messaging server, based on voice signals received from a user and that specify the messaging operation for the prescribed folder”. This is inconsistent with the Examiner’s rejection of claim 6, wherein the Examiner stated that Perrone fails to identify a messaging folder. Applicants submit that Perrone is silent as to the use of messaging folders in a messaging server.

Hence, the rejection of the independent claims and claims that depend therefrom should be withdrawn because it fails to demonstrate that Perrone discloses each and every element of the claim. See MPEP 2131. “The identical invention must be shown in as complete detail as is contained in the ... claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). “Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture.” Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff’d, 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Claims 4 and 21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Perrone in view of applicant admitted prior art. This rejection is respectfully traversed.

The Examiner contends that it would have been obvious to use IMAP protocol to carry out the function call in Perrone. In Perrone, an identifier, specific to a stock trading event, is associated with a Web page, relating to investing, in the Identifier/URL table 50. As disclosed at column 8, lines 21-37 the table 50 of Perrone has a column for an index value, a phrase code, a natural language phrase or resource

identifier and a URL. An example of the specific format of table 50 is shown in Table 1 of Perrone. The nature of IMAP protocol is such that a user may access e-mails from a remote location as if local, regardless of the IMAP sever's file storage format. Hence, it is submitted that one of ordinary skill in the art would not employ IMAP protocol in the method of Perrone. Therefore, the rejection is improper and should be withdrawn.

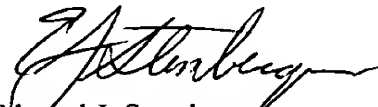
Claims 6, 8, 23 and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Perrone in view of Uppalura. These claims depend from claims 2 and 19 respectively, and are considered to be allowable for reasons advanced above with regard to the independent claims.

The indication of allowable subject matter in claims 7, 9, 10, 24, 26, and 27 is acknowledged and appreciated. It is believed that these claims are in allowable form in view of the foregoing.

In view of the above, it is believed this application is in condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-423, and please credit any excess fees to such deposit account.

Respectfully submitted,



Edward J. Stemberger
Registration No. 36,017
Phone: 202.261.1014

Customer No. 23164

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